

033104

01919 U.S. PTO

EV382013766US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attorney's Docket No. : 38559-0308764

17302 U.S. PTO  
10/815544

033104

## FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of:

Joseph M. Mabry, Rene I. Gonzales, Rusty L. Blanski, Patrick N. Ruth, Brent D. Viers, Joseph J. Schwab,  
and Joseph D. Lichtenhan

For: **NANOSTRUCTURED CHEMICALS AS ALLOYING AGENTS IN  
FLUORINATED POLYMERS**

## ENCLOSURES

- ☒ 22 page application including specification, claims and abstract;
- ☒ 6 sheets of informal drawings;
- ☒ A Declaration, Power of Attorney & Petition (unsigned);
- ☒ A postcard for return to us as proof of receipt of the above documents.

## And

- ☐ An Assignment of the invention to and an assignment cover sheet;
- ☒ A copy of the Notification of Filing a CIP application (Serial No. 09/818,265);
- ☒ A Nonpublication Request;
- ☒ Applicant Claims Small Entity Status;
- ☐ An associate power of attorney;
- ☐ A certified copy of country patent application number (priority document) is enclosed.

## TYPE OF FILING

- ☒ This application claims priority from U.S. provisional application serial number 60/459,357 filed March 31, 2003, and is a continuation-in-part of U.S. Patent Application No. 09/818,265 filed March 26, 2001, which claims the benefit of U.S. Provisional Application No. 60/192,083 filed March 24, 2000.
- ☒ Please accord Applicant the benefit of the priority date of March 31, 2003, to this case pursuant to 35 USC 119. Applicant's claim for priority is based on U.S. provisional patent application serial no. 60/459,357 filed on said date.
- ☒ This is an application filed pursuant to 37 CFR 1.53, permitting receipt of a filing date upon filing of specification, claims and drawings, if required, with applicant being given a period of one month from the date of notice to file the fee and oath or declaration.
- ☒ In the event any parts of this application are incomplete, please treat this as a filing under 37 CFR 1.53 as defined just above.

## CERTIFICATE OF EXPRESS MAIL MAILING

I, Diana Dearing, hereby certify that this correspondence is being deposited with the U.S. Postal Service as "Express Mail Post Office to Addressee," mailing label no. EV382013766US in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Attn: MAIL STOP PATENT APPLICATION on March 31, 2004.

*Diana Dearing*

## FEE CALCULATION

The filing fee has been calculated as shown below:

	SMALL ENTITY	OR	OTHER THAN A SMALL ENTITY	
BASIC FEE Design Patent	\$170	\$	\$340	\$
BASIC FEE Utility Patent	\$385	\$	\$770	\$385

EXTRA FEES		RATE FEE		RATE FEE	
TOTAL CLAIMS	MINUS 20 =		x 9 =	\$	x 18 = \$
INDEP. CLAIMS	MINUS 3 =		x 43 =	\$	x 86 = \$
<input type="checkbox"/> MULTIPLE DEP. CLAIM			+145 =	\$	+290 = \$
<input type="checkbox"/> ASSIGNMENT			+ 40 =	\$	+ 40 = \$
<input type="checkbox"/> RULE 53 SURCHARGE			+ 65 =	\$	+130 = \$
TOTAL		\$			\$385

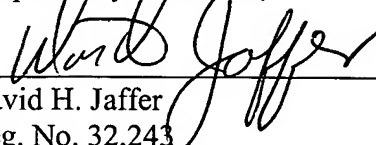
## FEE PAYMENT

- ☐ Attached is Check No. \_\_\_\_\_ in the sum of \$ to cover the filing fee.
- ☒ Fee not enclosed.
- ☐ Please charge Account No. \_\_\_\_\_ the sum of \$ .

## FEE DEFICIENCY

- ☐ The Commissioner is authorized to charge (or credit any overpayment) to deposit account No. \_\_\_\_\_:
- ☐ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
- ☐ Assignment Recordal fees.
- ☒ The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. \_\_\_\_\_.
- ☐ A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
 \_\_\_\_\_  
 David H. Jaffer  
 Reg. No. 32,243

Customer No. 27498

Dated: March 31, 2004

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 Facsimile: (650) 233-4545

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lichtenhan et al.Application No.: 09/818,265 Group No.: 1713Filed: March 26, 2001 Examiner:For: NANOSTRUCTURED CHEMICALS AS ALLOYING AGENTS IN POLYMERS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTIFICATION OF FILING OF CONTINUING,  
DIVISIONAL OR CONTINUED PROSECUTION APPLICATION

Notification is hereby being made of the filing of a:

- ☐ continuation  
☒ continuation-in-part  
☐ divisional  
☐ continued prosecution

application for this case

- ☒ concurrently herewith.  
☐ on \_\_\_\_\_ Date

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O.  
Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 \*

- ☐ with sufficient postage as first class mail. ☒ as "Express Mail Post Office to Addressee"  
Mailing Label No. EV382013766US (mandatory)

## TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Date: March 31, 2004

Signature

Diana Dearing

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

David Jaffer

\_\_\_\_\_  
(type or print name of practitioner)

Pillsbury Winthrop LLP

\_\_\_\_\_  
P.O. Address

2475 Hanover Street  
Palo Alto, CA 94304-1114  
\_\_\_\_\_

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Joseph M. Mabry	
Title	Nanostructured Chemicals as Alloying Agents in Fluorinated Polymers	
Atty Docket Number	38559-0308764	

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3-30-04

Date

  
Signature

David Jaffer

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**